

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
V.)	CR. No.: 2:08cr50-WKW
)	
CHRISTOPHER DEAN)	

UNOPPOSED MOTION TO CONTINUE TRIAL

COMES NOW the Defendant, Christopher Dean, by and through undersigned counsel, Aylia McKee, and pursuant to 18 U.S.C. §§ 3161(h)(1)(F), moves this Court for a continuance of the trial presently set for August 18, 2008, in the above-styled case. In support of this Motion, Defendant would show the following:

1. Mr. Dean filed a motion to dismiss indictment in this case on July 28, 2008.
2. The request for a continuance is sought to allow careful consideration and resolution of Defendant's pending motion to dismiss prior to a trial of this matter.
3. A Motion to Dismiss alleging similar grounds is pending in United States v. John Garry Bournes, 2:08CR02-MHT
4. The United States, through Assistant United States Attorney, Jerusha Adams, does not oppose this requested continuance.
5. Requests for a continuance are addressed to the sound discretion of the trial court, *United States v. Darby*, 744 F.2d 1508, 1521 (11th Cir. 1984), *reh'g denied* 749 F.2d 733, *cert. denied*, 471 U.S. 1100 (1985). Additionally, pursuant to 18 U.S.C. §§ 3161(h)(1)(F), if it is in the interest of justice to allow sufficient time to consider the pretrial motion, this court has authority to

continue trial.

WHEREFORE, Mr. Dean respectfully requests that this Motion be granted and the trial in this matter be continued from the August 18, 2008, trial term.

Dated this 28th day of July, 2008.

Respectfully submitted,

s/ Aylia McKee
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ASB-6178-A39M

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CERTIFICATE OF SERVICE

I hereby certify that on July 28, 2008, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Jerusha Adams, Esquire
Assistant United States Attorney
One Court Square, Suite 201
Montgomery, Alabama 36104

Respectfully submitted,

s/ Aylia McKee
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